

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of FELISHA MARIE HOLESH and
MONICA LATRICE HOLESH, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LEE MCCANT,

Respondent-Appellant,

and

BESSIE MARIE HOLESH,

Respondent.

UNPUBLISHED

November 12, 1999

No. 216432

Wayne Circuit Court

Family Division

LC No. 97-358821

Before: Whitbeck, P.J., and Gribbs and White, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the family court order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm.

Respondent-appellant was not denied the effective assistance of counsel where he was allowed to converse in private with trial counsel prior to both hearings and was present at each hearing via speaker phone. *People v Stanaway*, 446 Mich 643, 687-688; 521 NW2d 557 (1994); *People v Poole*, 218 Mich App 702, 717-718; 555 NW2d 485 (1996); *In re Vasquez*, 199 Mich

App 44, 47-50; 501 NW2d 231 (1993). Furthermore, respondent-appellant has not indicated how his physical presence would have changed the outcome of the hearing. Accordingly, ineffective assistance of counsel has not been established. *Stanaway, supra*.

Affirmed.

/s/ William C. Whitbeck

/s/ Roman S. Gibbs

/s/ Helene N. White